

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MELCHESTER PHILLIPS, JR.,

Plaintiff,

v.

MICHAEL REINHART, et al.,

Defendants.

Case No. 1:20-cv-01034-DAD-SAB

ORDER GRANTING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY KINGS
COUNTY JAIL AND DIRECTING CLERK
OF THE COURT TO ISSUE PRISONER
NEW CASE DOCUMENTS

(ECF No. 1)

Plaintiff is a pre-trial detainee proceeding *pro se* pursuant to 42 U.S.C. §1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in forma pauperis* will be granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to plaintiff's trust account. The Kings County Jail is required to send to the Clerk of the Court payments from plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

In accordance with the above and good cause appearing therefore, IT IS HEREBY ORDERED that:

1 1. Plaintiff's application to proceed *in forma pauperis* is GRANTED;

2 **2. The Kings County Sheriff or his designee shall collect payments from plaintiff's**
3 **jail trust account in an amount equal to twenty per cent (20%) of the preceding month's**
4 **income credited to the detainee's trust account and shall forward those payments to the**
5 **Clerk of the Court each time the amount in the account exceeds \$10.00, in accordance with**
6 **28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and forwarded to the**
7 **Clerk of the Court. The payments shall be clearly identified by the name and number**
8 **assigned to this action;**

9 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
10 plaintiff's *in forma pauperis* application on the Kings County Jail;

11 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
12 Department, U.S. District Court, Eastern District of California, Sacramento Division; and

13 5. The Clerk of the Court is directed to issue prisoner new case documents in this
14 action; and

15 6. Within **sixty (60) days** of the date of service of this order, plaintiff shall submit a
16 certified copy of his jail trust account statement for the six-month period immediately preceding
17 the filing of the complaint, if plaintiff has not already done so.

18 IT IS SO ORDERED.

19 Dated: **July 29, 2020**

20 
21 UNITED STATES MAGISTRATE JUDGE